

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

MELISSA STRAWDER-MCCURRY,

Plaintiff(s),

vs.

WAL-MART STORES, INC.,

Defendant(s).

Case No. 2:13-cv-00618-JAD-NJK

ORDER DENYING STIPULATION

(Docket No. 35)

Pending before the Court is a stipulation to extend various deadlines, *see* Docket No. 35, which is hereby **DENIED** without prejudice. The pending stipulation seeks an order allowing Defendant to provide a supplemental expert report and for Plaintiff to depose Defendant's expert beyond the discovery cut-off. *See* Docket No. 35. The Court construes the stipulation as requesting an extension to the already-expired expert disclosure deadlines, as well as an extension of the discovery cut-off limited to conducting the identified expert discovery. Accordingly, such a request must be supported by a showing of both excusable neglect and good cause. *See, e.g.*, Local Rule 26-4; *see also* Docket No. 17 (explaining operation of Local Rule 26-4). The pending stipulation fails,

1 *inter alia*, to provide any meaningful explanation why this discovery was not conducted earlier.¹

2 Accordingly, the pending stipulation is hereby DENIED without prejudice.

3 IT IS SO ORDERED.

4 DATED: January 10, 2014

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7 NANCY J. KOPPE
8 United States Magistrate Judge
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25 ¹ The stipulation indicates that an independent medical examination is scheduled for January 18,
26 2014, and it appears that the supplemental expert report cannot be completed until after the independent
27 medical examination. *See* Docket No. 35 at 1. But the parties' previous stipulation (filed nearly four
28 months ago) acknowledged the need for independent medical examinations, *see* Docket No. 31 at 2
(filed September 18, 2013), and the parties fail to address why they waited to schedule the identified
examination until the end of the already-extended discovery period.